

ANNUAL HAZARDOUS WASTE REPORT PENALTY POLICY

Division Rule 1200-1-11.03(5)(b)1. states that:

1. A generator must submit an Annual Report to the Department by March 1 for the preceding calendar year. Such report must be submitted on forms provided by the Department, and the form must be completed according to the instructions accompanying it. The report must include, but shall not necessarily be limited to, the following information:
 - (i) The year covered by the report.
 - (ii) The name, address, telephone number, and Department-assigned installation identification number of the generator.
 - (iii) For each hazardous waste stream (i.e., each separate waste but not necessarily each batch or shipment of such waste) generated by the generator during the reporting year, except for those wastes identified in part 4 of this subparagraph, the following information:
 - (I) A descriptive name of the waste and the appropriate waste code(s) from Rule 1200-1-11-.02;
 - (II) The methods by which the waste was managed on-site by the generator during the reporting year and the total quantities managed by each method; and
 - (III) For those wastes managed off-site during the reporting year:
 - I. The Installation Identification Number of each treatment, storage, or disposal facility, or the name and address of other places, to which the waste was sent;
 - II. The total quantity of the waste sent to each place and the method(s) by which it was to be managed; and
 - III. The Installation Identification Number(s) of those transporters whose services were used during the reporting year.
 - (iv) A description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated.


- (v) A description of the changes in volume and toxicity of waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1984.
- (vi) The certification signed by the generator or authorized representative.

Division Rule 1200-1-11-.03(5)(b)1. requires generators to submit annual reports by March 1 of each year for the preceding calendar year. A report will be considered delinquent until such time it is determined by the Division to be complete and accurate. If a complete and accurate report is not received by March 15, the Division will issue a Notice of Violation to the generator requesting that a complete and accurate report be submitted within thirty (30) days of the receipt of the Notice of Violation.

Penalties for late filing shall be assessed as follows:

1. If a report is not received by the Division on or before March 15 or is determined by the Division to be inaccurate and/or incomplete, and the deficiencies are not corrected within the requested timeframe, an Order will be issued and the violator will be assessed a penalty of \$200.00.
2. If a complete and accurate report or a corrected report is not received within forty-five (45) days of the receipt of the Notice of Violation, an Order will be issued and the violator will be assessed an additional penalty of \$100.00.
3. If a complete and accurate report or a corrected report is not received within sixty (60) days of the receipt of the Notice of Violation, an Order will be issued and the violator will be assessed an additional penalty of \$350.00.
4. If a complete and accurate report or corrected report is not received within seventy-five (75) days of the receipt of the Notice of Violation, an Order will be issued and the violator will be assessed an additional penalty of \$1,350.00.
5. If a complete and accurate report or corrected report is not received prior to September 1, an Order will be issued and the violator will be assessed an additional penalty of \$5,350.00 plus a \$25.00 per day penalty until a complete and accurate report is received.

Note: This policy supersedes the March 2, 1995 penalty policy.

Approved: 
Mike Apple, Director
Division of Solid Waste Management

Date: 12-5-02